How to Use the Oracle Software and Services Statewide Contract

Contract #: ITS19   Contract Duration: 11/16/2004 to 11/30/2015
MMARS #: ITS19*   Options to renew: Through 6/30/2019 for maintenance only (technical support and software upgrades)
Contract Manager: Marge MacEvitt - 617-720-3121 – marge.macevitt@state.ma.us
Last change date: 11/18/2015

Contract Summary

This contract is for obtaining Oracle licenses, technical support, maintenance, training and consultation. It has recently been extended through 11/30/2015. Also, please see "Acquisition Options" below regarding Cloud Services, a new method of service acquisition.

Benefits and Cost Savings

- Significant discounts from list pricing

Who Can Use This Contract?

Applicable Procurement Law: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

Eligible Entities:
01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Public purchasing cooperatives;
08. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
09. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

Pricing and Purchase Options
Acquisition Options

Oracle software licenses may be acquired through outright purchase. Oracle maintenance may be paid through an annual subscription or other time period agreed to between Oracle and your Agency. Consulting services may be obtained on a time and materials basis or for a fixed fee. Cloud Services are now available as described below.

Cloud Services
If you will be purchasing cloud services, please note that Oracle's Public Sector Agreement for Cloud Services (CSA), as amended (posted as "Amendment for Cloud Services" on COMMBUYS; see Amendment to ITS19, CSA, and Amendment to CSA in this file), applies rather than Oracle's standard License and Services Agreement. Before entering into a contract for cloud services, Contract Users should determine whether personal information will be uploaded to the cloud service, and identify any applicable data protection and privacy laws, regulations and policies. Contract Users should then confer with Oracle about how the cloud service supports the identified data protection and privacy requirements, and should document the requirements and support commitments in the Purchase Order.

Pricing

Licenses and maintenance/support

Dollar amount of License and Support at List Price	Discount*
$1 – $1 Million	47%
$1Million plus	Contact Oracle

*For acquisitions over $1 Million, non-Executive Department agencies and municipalities should negotiate for a discount higher than 47%. **Executive Department agencies must contact ITD (louis.angeloni@state.ma.us) prior to purchasing licenses.**

Maintenance and Support Pricing
Technical support and maintenance are 22% of the price paid for the license (not the list price). When purchasing licenses, be sure to plan for future support costs.

Training and Education
Public Instructor Led Training ("ILT") may be purchased at a 15% discount off the Oracle University Price List in effect at the time the student is registered for training. Public ILT is priced at a "per day" rate, and accelerated public ILT courses are priced at a "per content day" rate. Discounts may not be used in conjunction with any other discounts or special promotions offered by Oracle University.

Ordering

Executive Departments – Requirement to contact ITD
Executive Department agencies must contact ITD prior to acquiring any Oracle Database licenses. ITD will be aggregating orders where practical to achieve the highest possible discount level. If licenses are required immediately, contact Louis Angeloni (louis.angeloni@state.ma.us) to see if loaner licenses are available.

Software Development Approval Required
If you intend to use this contract for software development or other work which will result in the creation of intellectual property, you must contact ITD's Legal Counsel for approval. There are issues concerning ownership of intellectual property which must be resolved on a case-by-case basis.

Quote Request
Request a quote from Oracle's Contract Manager, who will be able to advise on appropriate products if you are not certain as to exactly what products are needed.

When planning to add licenses, it is advisable to contact your Oracle representative with an inventory of your current licenses and your new requirements to work out the most cost effective alternative, particularly if you will be converting any licenses to a newer licensing model.

Purchase Order Language
All orders placed under this contract must include language to make it clear that the order is being placed under ITS19.

Signing the License Agreement
When purchasing Oracle licenses for the first time under ITS19, you will be asked to sign Oracle's OSLA (Oracle Standard License Agreement). The OSLA has been amended so as not to conflict with the Commonwealth Terms and Conditions. Also review "Supplemental Terms." See Locating the Contract Documents on COMMBUYS to view these documents.

Entering Order in COMMBUYS
For orders where only one payment will be made from the Requisition
Access the Job Aid How to Order from a Master Blanket Purchase Order
The following directions customize this Job Aid for this Contract:
Logging in (Job Aid Step 1)
> Select COMMBUYS under OSD Programs at www.mass.gov/osd OR Enter https://www.commbuys.com/bso/ in your browser

General tab (Job Aid Step 4)
> For "Requisition Type," select "Release"
> If consistent with how your Department is handling the "Short description" field, please include ITS19 somewhere in the "Short description."
> For "Type Code," select "Statewide Contract."
> Select "Save and Continue."

Items tab (Job Aid Steps 4 through 8)
- Click the Items tab to enter Items, then the "Search Items" button.
- Do not use the key word search – open the Advanced Search" function by clicking on the plus sign (**+**) by the Advanced Search Criteria title.
- Enter "ITS19" (no quotes) into the **Description** field and select **Find It**
- Select the type of products/services you wish to obtain (software, maintenance and support, education, consulting)
- Enter **Quantity** as "1" (or other quantity if appropriate) and click **Add to Req & Exit**.
- Next enter the **Catalog/Unit Price Cost** based on the quote you received from Oracle by selecting the **Enter Info** link; you can now enter the unit cost.
- Select **Save & Exit**

Continue with Job Aid Step 9 and the remaining Steps.

Attach your Purchase Order to the "Attachments" tab of your requisition.

If multiple payments will be made from the Requisition
This could occur if you have a project where monthly or other periodic payments for time and materials work will be made as the work is performed, or for projects with multiple deliverables-based payments. Follow the steps above for single payment requisitions up to the point where a PO has been created.

Insert the following language in the special instruction box of the PO: "This Purchase Order represents the total estimated expenditure for this engagement (insert brief description), against which (identify department) will execute partial receipts in COMMBUYS upon receipt and approval of invoices, in order to record the work accomplished according to the agreed upon engagement terms. All estimated expenditures are subject to reconciliation based on invoices rendered for agreed-upon delivery of goods and/or services."

Further direction is available in the ["How to Complete a Partial Receipt in COMMBUYS" Job Aid.](#)"

Additional Information
Vendors
The only Vendor on this Contract is Oracle America, Inc. The contact people for the Contract are:

General questions:
Margaret Deacon, margaret.deacon@oracle.com, 916-315-5782

Business questions about Oracle/PeopleSoft and other enterprise business applications:
Scott DeLuca, scott.deluca@oracle.com, 978-290-3914

Business questions about Oracle support (billing):
Gavin Ostrom, gavin.ostrom@oracle.com, 916.315.5391

Technical questions about Oracle products or support
Glenn Klausner, glenn.klausner@oracle.com, 508-615-1332

Questions about education programs for Oracle products:
Frank Montano, frank.montano@oracle.com, 916-315-7183

Questions about Oracle Consulting Services:
James Cole, james.cole@oracle.com, 518-573-3841

Questions about Assisted Services :
Brian Fadale, brian.fadale@oracle.com, 202-421-8337

Additional Contract Terms and Documents
See "Locating the Contract on COMMBUYS" to access these documents.

Contract Terms
The Updated Terms and Pricing Effective 8/26/2014 consists of:
>Standard Contract Form signed by Oracle and OSD
>Attachment A – Contract changes and Updates
>>Exhibit 1 to Attachment A – License Definitions and Rules
>>Exhibit 2 to Attachment A – Oracle Software Technical Support Policies
>>Exhibit 3 to Attachment A – Oracle Price Lists
>>Exhibit 4 to Attachment A – Consulting Rates
>>Exhibit 5 to Attachment A – Advanced Customer Support Rates

The other documents posted (in addition to this Contract User Guide) are:
1. Amendment to Oracle License Agreement
2. Supplemental Terms (additional Contract terms)
3. Signed Contract Form for the Initial Contract Term
4. Oracle RFR (RFR resulting in this Contract and incorporated into the Contract)
5. Entire Agreement (order of precedence for initial Contract documents)

Personal Information
In the event that Oracle staff require access to Commonwealth data owned by Executive Departments that contains personally identifiable information protected under MGL c. 93H and other statutes (for example, in the context of providing support services to diagnose a database issue), the preferred method is via the Commonwealth Information Technology Division's (ITD's) VPN connection, whereby Oracle staff will access data residing on a Commonwealth System rather than transferring the data to a device under Oracle's control. Executive Departments must contact ITD to arrange for VPN access.

If VPN access is not practical, Commonwealth staff must contact the individual listed in the OSD Update as the Oracle Support Contact. The Oracle Support Contact will work with the Executive Department Agency to determine how support can be provided securely through some alternate means. The Executive Department may not allow Oracle to download personally identifiable information without the express written permission of the Information Security Officer for the Executive Department.

Contract Users other than Executive Departments must also comply with all laws pertaining to personally identifiable information, and should be aware that information downloaded by Oracle without making special arrangements may reside on a non-encrypted laptop or other device.

Oracle Support
If you will be using Oracle Support, please review Section 7, page of "Exhibit 2 to Attachment A" (posted as "Terms and Pricing" on COMMBUYS) to ensure that the way Oracle will provide support is consistent with your Agency's policies. Also, if using Oracle Priority Support, be sure to follow the link on page 14 of the same Exhibit.

Locating the Contract on COMMBUYS

To locate the Contract on COMMBUYS without logging in:

1. Select COMMBUYS under OSD Programs at www.mass.gov/osd OR Enter https://www.commbuys.com/bso/ in your browser
2. Select "Contract & Bid Search"
3. Select "Contracts/Blankets"
4. Enter "ITS19" (no quotes) as the "Contract/Blanket Description" (NOT the "Contract/Blanket #")
5. Select the "Find it" button
6. Select PO-14-1080-OSD01-OSD10-00000003846

Attachments are links in the "Agency Attachments" field of the "Header Information" section.

To locate the Contract on COMMBUYS if you are logged in:

1. Select the magnifying glass
2. Select "Module" = "Purchasing Module" and "Document Type" = "Contracts/Blankets"
3. If your screen has an entry for "Header major status" under the "Contract/Blanket Description" field, select "3PS – Sent"
4. Follow steps 4 through 6 above

This view of the contract allows you to look at the contract information in separate tabs. The "Attachments" tab includes a description of each attachment and how it is to be used.

Strategic Sourcing Services Team Members

Marge MacEvitt is the only member of the Team currently employed with the Commonwealth.